VOL. XIX

ASHLAND, ASHLAND COUNTY, OHIO, WEDNESDAY MORNING, FEBRUARY 15, 1865.

Business Directory.

JUDICIAL OFFICERS.

GRO. W. GEDDES, Com non Plans Judge.
E. INGMAND, Probate Iudge.
A. M. BARBER, O'k. lon. Pl', & Dist C'rt.
J. W. HILL, Prosecuting Attorney.

COUNTY OFFICERS.

desse GONN O. BROWN, Sheriff.

aten GIENRGH W. URIE, Recorder.
JONN KEENE, Surveyor.
The undoun WOODBURN, Corener.
rs publichen BERRY
the largornvan MEST.
Comm

Commissioners.

HIENRY WICKS. RJAMES MONAUL, FID. K. HULL. S. MARTIN.

SCHOOL EXAMINERS. W. STRAYER,

BASTETHERS.

O. JENNINGS, Cashier, H. LUTHER, Pres PIRST NATIONAL BANK

OF ASHLAND. SULBERT LUTHER, | G. H. TOPPING JACOB CRALL,
JAMES PURDY,
Do exclusively a Banking busines. Buy and
sell Hstern Exchange and Coin; Disc untupon individual security.

Sell Revenue and Postage Stamps.

TO CETT LOSS.

MILLER HOUSE,

OPPOSITE the McNulty House, Ashland O. M. Mil or. Proprietor. Good accommodations a dreasonable bills. Patnomage so Heiter June &, 1864, vi9ni

MCNULTY HOUSE,

WM. McNULTY, . . . Proprietor South Side Main Street, Ashland, O.

June 8, 1864, #19n4

pleased to give him a call. June 8, 1864; vibul.

WILER HOUSE,

STREET, between third and fourth D. M. MILLER, Proprietor June 8, 1964, vt9n1

A LEW TO LEAD IN LESS OF THE PARTY OF THE PA

J. J. JACOBS,

ATTORNEY AT LAW, Asbland Chie, Office over Wallack & Anirews' Shoe Store, op

J. W. M'CORD,

ATT(RNEY AT LAW, Ashland Ohio, Office on Usin Street, due door East of the M Nuly House, up stairs.

LEANY'S CAMPBELL.

ATTORNEY'S AT LAW, Ashland. Ohio:
office on Church Street, in the brick building munclintely West o. Kahn's store.
Jue 8, 1864, v19a1

W. T. JOHNSTON.

OSBORA'S CURTIS.

James, 1864, vibal

J. H. McCOMBS. ATTORNERY and Counsellor at Law, Ash-the thic. Office in the Bank building were the Hardware Store. v19u1

PHYSICIANS.

CEO. W. HILL, M. D.

PRYSICIAN & SUNGEON, Ashland, Ohio. Partitude attainion will be paid to the treatment of the following special diseases: Diseases, disease of the Liven, the Kinners Schotzea and Efficient Carea, office of Church sires.

mouteagen start mas seems and 41961

HYSICIAN & SUIGEON, Ashland, Ashland, Ashland, Chica over the Post-Office opposite the town Hall. I. L. CRAPE, M. D.

RACTICAL Physician and Surgeon, Rooms at Miller House, Ashland Ohio-June 8, 1864, v19n1

Miscellameous.

W. RALSTON,

gweles and dilversmith, one door wast of Petter's Drug story, Appraid. Ohio...
Geld and Steel 'enr. and a shales variety of Jawdry, kept seasonably on hand...
Highest price paid for old gold and silver.
Resairing done to order, ou reasonable...

Delivered in the House of Representatives, upon the Resolution Abolinling Slavery in the U.S.

Mr. SPEARER: I shall not detain the House long to day. When this subject was under discussion at the last session of Congress I endeavoyed to maintain by argument that three fourths of the States endeavored to show wherein this proposed amendment so far contravened the pirit and intent of the Constitution as to ed thatbe beyond the power granted. I shall pinions of gentlemen on the other side have heard the gentleman from lowa, [Mr Kasson] and the gentleman from Maryland. [Mr. Creswell] and I have listened to the sweeping declaration of charactermy colleague [Mr. Cox, of Ohio] who sits behind ne. I have endeavored to weigh rectly to impartially the arguments they have ad duced in support of their opinions. I am constrained to say that I have heard nothing which has in the least degree weakened my faith in the conclusion at which had arrived. It is because I cannot go beyond this question of power, because I um not at liberty to consider any other question, that I shall confine myself ex-

clusively to its consideration I will not do my colleague from the Tulcdo district [Mr Ashley] the injustice to suppose that in his argument on Friday he intended to make a complete reply to the proposition which I endeav-ed to sustain at the last session.

I understand, Mr. Speaker, the right of revolution. I know what are its limitations. Its origin is not in human institutions; its sanctions are not in penal enactments. Its home is in the human FORMERLY McNULTY'S, by Angelianto heart; its origin is in the appropriate further Ashland Ohio. The House is man for groupers; its sanction is the ultiprepared to accommodate all his old there is no appeal. The minority of the friends and as many new ones as may be neonic may, if the can, subvert this Confederation, and establish in its stead a ernment, and, to use the illustration of my colleague, [Mr. Cox] may elect the king of Dahomey to be their autocrat; to the nations and to God, and responsi-

But I beg my colleagues [Mr. Cox and Mr. Ashley to remember, and I beg gentlemen who differ from me to remember, that the right of resistance is as perfect; that the cause of thore who resist is saered in the eyes of God and man, and three fourths of the States would justify will, it they are successful, command the admiration of the world, and crown them with the fame which belongs to pat-

riots and heroes.

But, sir, we are not discussing the right of revolution, nor yet the right of all the States to smend this Constitution. A FTGENEY at Law, office over Beer & Gra.

Aves dore. New Street, Ashland, O., will

attend promptly to all business entrasted tution. We are discussing the powers of te hyears. Special attention given to coltechn of Soldiers claims of all kinds.

Jum S, 1864, vi9nt

We are discussing the powers of tution. We are discussing the powers of change which by that instrument are given to the majority, and the obligation of obedience and acquiescence which is given to the majority, and the obligation amendment would not be within the scope of phedience and acquiescence which is imposed upon the minority. I suppose it will be admitted as a maxim, subject AVI formed a partnership in the practice it will be admitted as a maxim, subject to no controversy, that wherever there is provenies in the building herenofers on the right of r statemen in the minority, there is no right of amendment in the

> the right of amendment granted by this Constitution is limited in two ways -First by the letter of the Constitution itself, and next by the spirit and intent and scope of that instrument, and by the idea which underlies it all as a founda

My colleague who sits behind me, Cox and my colleague from the Toledb district, [Mr. Ashley] admit that the pow-er of amendment is limited by the letter of the Constitution itself, but they assert of the Constitution itself, but they assert that it is limited only by that rule and no other. I beg gentlemen to remember that this is not a question of revolution of physical force; it is not a question of a doctrine. I would repudiate that this is not a question of revolution of physical force; it is not a question of a doctrine. I would repudiate it myself. Helieving as I do, that the Federal Government can no more make a slave than of a batract right or of natural justice, but of power delegated by the written tendency of the Constitution itself. From the times of the ancient prophets he was an becomble and upright man who stood by the word though it led to his own rejury.

Office op.

Ash. Of the Constitution itself, but they assert that the pagent of natural justice. I would repudiate it myself.

Believing as I do, that the Federal Government can no more make a slave than a public of amendment, when they probible itself every State from increasing its interest make a king, I, for one, would be people from abroad who could increase it is and in what respect this amendment differs in a limited only by its the answer that I gave to the question. If I recollect its at the year 1808, the slaves they then that the power of change in that Constitution is limited only by its was that so far as slavery could be written lapprage? There are but three. of the Constitution itself. From the times of the ancient prophets he was an honorable and upright man who stood by the word shough it led to his own injury. Now I desire to sak gentlemen whether it is true that she power of change in that Constitution is limited only by its written lappage? There are but three points in which that Constitution is limited only by its tester, cepild not be changed. The first was the right of importation of slaves before 1 February by the strictly of representation of slaves before 1 February by the article itself.

Mr. THAYER. I think the gestleman from that incorporated in the answer which I gave to the question that he has just reterred to. If I redoter it is true that she power of change in that Constitution is limited only by its was the right of importation of slaves before 1 February by the tester, cepild not be changed. The first was the right of importation of slaves before 1 February by the strictly in the superior of the sum of taxation, and the third was the equality of representation in the Santes. The profit is an manufacture of the sum o

Mr. ASHLEY. Did my colleague un-derstand that by my speech that I claim-

Mr. PENDLETON. I understand not need to touch that point to-day. I exactly what the gentlemen claimed, and me, of saying that either a law of Conhave listened with great attention to the I am endeavoring to run to its extreme the premises upon which the gentlemen

that any amendment republican in its legalize it.

Mr. PENDLETON, Mr. Speaker, I

Mr. PENDLETON. I will come di-

man put upon the power. I need not ask my colleague frem the Toledo dis-trict what answer he will make to that question, because I have it already. He iog in law. It would be illegal. It would say "No; that shange is not with. would be void. It would have no more in the scope of the power of amendment sanction than that which the power of given to three fourths of the States."—those who chose to impose it would be Why? It is not forbidden. It does not able to give to it. It would be binding come within the two classes of limita- on those who would come within the powleague. Why is it that this change cannot be made? It is because republicanism lies at the very foundation of our system of Government, and to overthrow that idea is not to amend, but subvert the Constitution of the United States; and I say that if three fourths of the States should undertake to pass an amendment of that kind, and Rhode Island alone dissented, she would have the right to rasist by force. It would be her duty to resist by force; and her cause would be secred in the eyes of just men, and sanctified in the eyes of a just God. Let me go a little further. One three people may, if the can, subvert this Con- fourths of the States make an amendment to the Constitution of the United consolidated unity. Much more may a States which shall prohibit the State of majority. Three fourths of the States Ohio from baving two houses in its Legman abolish this republican form of gov- islative Assembly. My colleague would king of Dahomey to be their sutcerat; ter of the Constitution is not against it. stitution formed, the right to interfere and then, responsible in the present only It is an amendment which may be repub. civilization, they may draw their aword, of one house only. Why could it not be the law, which lies behind the Constitution of government upon the dissenting States lies at the very foundation of our governments of the States, by which these would not join with me in saying that

> our own States in drawing the sword.
>
> Sir, can three fourths of the States provide an amendment to the Constituion by which one fourth should bear all the taxes of this Government? It is not prohibited. To be sure there is a in the Constitution that taxation shall be uniform, but that provision, according to the theory of my friend from Ohio, is revokable and changeable as the

rest. The gentleman knows that the of the power granted to three fourths of the States, and that it would justify re-

Can three fourths of the States, by an amendment to this Constitution, subvert the State Governments of one fourth and divide their territory amongst the rest? It is not forbidden; I read no prohibition in the language of the Constitution, and yet my colleague would not contend that could be done. He would justy resist-

did not possess constitutional power so tionally change this Government and pass this amendment. I had arrived at make it an autocracy? It is not prothat conclusion after mature deliberation. bibited by the letter of the Constitution. rights of the citizens of this country.

I hope, sir, that I have made myself understood. I do not wish to be placed gress or any amendment of the Constitution which could be adopted by the peoof the House who disagree with me. I stands to-day, in order to convince him ple of the United States could introduce have heard the gentleman from lows, of the weak point of his argument. slavery into a state, but I say that so far Mr. ASHLEY. I said in my speech as it would have the effect of law it would

would not do injustice to the Gentleman rectly to the limitation which the gentle. from Penesylvania, as I believe he well knows. I go a step further than he does. I say that it would not be bluding in morals; I say that it would not be bindsanction than that which the power of tions and conditions ascerted by my col. er of the sword of those who made it, and

on no other.

Mr. WILSON, Will the gentleman permit me to ask him a question?

Mr. PENDLETON, Certainly, Mr. WILSON, Mr. Speaker, if that be the position which the gentleman deigns to occupy, I should like to have that gentleman inform the House where any portion of the people of this country derived the power to make any other portion of the people slaves in the first

Mr PENDLETON, They did not deive it from the Constitution of the Uni-

Mr WILSON. I ask where they did Mr. PENDLETON. They did not Ohio from having two houses in its Leg-inlative Assembly. My colleague would United States. They did not give to not agree to that. Why not? It is not prohibited in the Constitution. The let-ment of the United States which the Conlican in form ; it contravenes no tenet of be drawn into a discussion with the gensystem, and also because the control of the States, by which these the States over their internal affairs is subject is pertinent I will not hesitate to equally at its foundation. And I know enter into the debate. Perhaps he and my colleague too well to suppose that he I might not differ about that. But I am discussing the question that is put so ostentatiously by the other side of the House, that under the Constitution-no such a usurpation of power on the part of

> clauses and provisions, there exists the power to make this amendment Mr. KASSON. Mr. Speaker—
> The SPEAKER. Does the gentle man from Ohio yield to the gentleman

by the right of revolution-under

Mr. PENDLETON. Certainly, sir. Mr. KASSON. Mr. Speaker, I rose a moment ago, as the gentleman knows the esteem in which I held his ability on these questions, to state this to him, and to make an inquiry. It seems to me that our posterity, do ordain and establish this he has taken the extreme ground of the Constitution." extremest abolitionists, so frequently deof a higher law than the Constitution itelf. I state that as a preliminary to the inquiry which I propose to make. He is referring every proposed amendment to the individual opinion of a man as to whether it accords with the spirit which underlies the Constitution and irrespect-Can three fourths of the Satas so amend the Constitution of the Satas to make the northern States of this Union slaveholding States? The gentleman ists time and again. Now, I wish to ask on this dentional logical point to be delast session said that in his judgment it might be done. I know that the unjorting of this House would repudiate that it yof this House would repudiate that dorrine. I would repudiate it myself. Believing as I do, that the Federal Govern State from increasing its interest in slavery by an importation of the

bave only sought to place myself on the Constitution of the United States, and not to invoke the authority of any law that is higher than it. I have taken extrame cases. I taid my colleague [Mr. Ashley] that I intended to take extreme cases, because it is only by extreme cases that the soundness of principles can be measured.

Mr. WILSON. I desire to ask the case with such a provision of the Constitution between the constitution of the Constitution between the constitution of the Constitution of the constitution of the constitution of the constitution between the constitution between the constitution of the Constitution between the constitution between the constitution of the Constitution between the constitution of the Constitution between the constitution of the Constitution between the constitution of the constitution between the constitution of the constitution of the constitution between the constitution bet in the position which the last remark that the soundness of principles can be of the gentleman from Ohio assigned to measured.

gentleman from Ohio, [Mr. Pendleton,] in order to fully understand the theory upon which he is conducting this argument, whether he believes that the States, acting in what he calls their sovereign capacity, have the power or the right to make a portion of the people of a State alayes?

Mr. PENDLETON. That is a question which I will discuss with the gentleman from Iowa, [Mr. Wilson,] whenever it is pertinent to the subject in hand.

Mr. WILSON, I was going to suggest to the gentleman that I understood his theory to include that. If I misunderstood him, then I ask his pardon.

Mr. PENDLETON. The question

which we are discussing to-day is not the power of the State government to decide the status of the people within its boun-daries. But the question is as to the power reserved in this compact of con-federation to its constituents, which are the States.

yielding the floor to any further inter-

Mr. PRNDLETON. I hope my friend will not object to any questions until I do. The SPEAKER. The Chair will cause the rule to be read.

The Clerk then read the following rule of the House : "While a member is occupying the

floor he may yield it to another for ex-planation of the pending measure as well as for personal explanation." The SPEAKER. The rule is a very broad one. The Chair does not see how the gentleman from Ohio, [Mr. Pendle-ton] can be limited in his right to yield

gentleman from Ohio [Mr. Pendleton] to say that he dissented from the doctrine that the power to amend the Constitution was an unlimited power. I wish to say that I also dissent from that doctrine.— I do not agree that under the article of the Constitution authorizing amendments we have the right to amend the Constitution so as to establish slavery, or to invite the King of Dahomey to rule over this country. I think the limitation, i the gentleman from Ohio [Mr. Pendleton] will bear with me a moment longer

is found in the preamble, as follows: "We, the people of the United States in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and securthe blessings of liberty to ourselves and

One provision of the Constitution is conneed by his political associates on the that in a certain way it may be amended. amended, in order that it may have both moral and legal force, in conformity with the objects for which the Constitution was framed, as set forth in the preamble. And an amendment which tonds to "a more perfect union, to establish justice, are domestic tranquility, to provide for the common defence, to promote the

understand the force of language, the section which I have just quoted is to-day free from all limitations and conditions any two, one of which provides that the suffrage of the several States in the Senate shall be equal, and that no State shall be equal, and that no State shall be equal, and that no State shall be the constitution without I have never conceeded that an anomalism to the Constitution without I have never conceeded that an anomalism to a law of the barbarous self clearly understood in the proposition that it was arguing. I was considering only those power guaraturied by the instrument states. I was sendiment or a law of the barbarous self clearly understood in the proposition. These are the only conditions and limitations. The conditions of the guaranteed by the question of the guaranteed by the question of the guaranteed of the constitution of the guaranteed of the people of the right of revolution and that is to be constituted and the left to the final state of the guaranteed of the people of the right of revolution and that is to be constitution; and that is to be constitution of the guaranteed to the inclinable rights of the people of the proposition of the guaranteed to the inclinable rights of the people of the proposition of the guaranteed to the inclinable rights of the people of the proposition of the guaranteed to the inclinable rights of the people of the proposition of the guaranteed to the inclinable rights of the people of the proposition of the guaranteed to the inclinable rights of the people of the proposition of the guaranteed to the inclinable rights of the people of the proposition of the guaranteed to the inclinable rights of the people of the

nine of the States with such a provision

Mr. GOOCH. That is not my ques-tion. I ask the gentleman whether in his cpinion they could have prohibited slavery without violating any of the estate Constitution and fundamental principles of the Confederation

overnment?
Mr. PENDLETON. They could have stitution que robiblted it, and it would have been that none it, because it was in the power of each State to give up to the Federal Government the decision of the status of its poole; but the arche States which ratined be bound by it. Yet, pradopted by nine of the thirte the whole, with all the territe poole; but the arche States which ratined by nine of the thirte the whole, with all the territe poole; but the arche States which ratined by nine of the states adopted by nine of the thirte-the states adopted by nine of the thirte-the states adopted by nine of the states adopted by nine of the states adopted by nine of the thirte-the states adopted by nine of the states adopted by nine State to give up to the Federal Government the decision of the status of its ing to them, a nation. Under people; but the other States cannot claim to make that decision except by express if it were adopted by nine States affect would be to fore

Mr. GOOCH. I would ask the gentleman a still further question: whether by the adoption of the Constitution and of the convention, and certain distribution and of the convention, and certain distribution and certain distribution. the smeudments to it the States have not conferred that power upon the constitutional majority, or upon that power which they have authorized to amend the Con-It might be true that,

stitution?

Mr. PENDLETON. I think they have not; or else I would not have been danying the power for the last balf hour. I have been endeavaring to show that the limitations in the latter of the Constitutimitations in the latter of the Cansitation were not the only limitations upon the power of amendment. And I have done it for the purpose of leading gouldment to this House to a conclusion which I am prepared to take, following the line of argument that I have done, showing that you cannot, under the power of amendment, contravens the letter and spirit of the Constitution; that you cannot subvert republicanism; that you cannot decide the status of the citizens of the States. I would lead them to the conclusion that there is no power on the part of the Federal Government—on the part of the three quarters of the States I intended to may—to adopt the amendment that is now proposed; and that if you do it, if you attempt to impose that amend-ment upon the dissenting States by force, it will be their right to resist you by force, and to call to their aid all the powers which God and nature have given

them to make that force effective. Now, sir, I do not intend to do my col-esge from the Toledo district [Mr. Ash-

tions and limitations imposed upon the power of amendment are only those which are expressly declared in the Constitution, he follows it up by a declaration that, "in my judgement, Congress may propose and three-fourths of the States may adopt any amendment Republican in its character and consistent with the continued existence of the nution, save in the two particulars just named." Why does he impose those two further limitations. There is no guarantee in the Constitution that the Federal Government shall be republican in form. There is no prohibition of a change of the Federal Government of a different and anti-republicant form. The gentleman's own admission overthrows the fognolation upon which his argument rests. And I would like to the fourths of the States to dissolve the Constitution the States because they have agreed a prohibition upon the right of three-fourths of the States to dissolve the Constitution that is a prohibition upon the right of three-fourths of the States to dissolve the Constitution that is a prohibition upon the right of three-fourths of the States to dissolve the Constitution to the surface of surface and in the other States because they have agreed the surface and the other states because they have agreed the surface and the other states because they have agreed the States to dissolve the Constitution of sovereignty which is suppend, or, if you please, to delegate the fourths of the States to dissolve the Constitution of sovereignty which is suppend, or, if you please, to delegate the fourths of the States to dissolve the Constitution of sovereignty which is so that the federal Government, which has a prohibition upon the right of three-fourths of the States to dissolve the Constitution of sovereignty which is some the federal Government, when he federal Government, when he federal Government, the federal Government is the federal Government in the federal Government is the federal Government in the federal Government in the federal Government is the federal Government in the federa

"Mr Speaker, I presume no man, not even my colleague, will dany that when the thirteen colonies or States assembled by their representatives in Convention as make the present national Constitution they might have abolished always at once. Or, if the theory of the old parties is true, that a republican Government may

States had ratified the Constitution, while the other four did not; would these other four have been members of the Union?

Mr. PENDLETON, No. siz.

Mr. STEVENS. So I say. But suppose that three fourth of the States now ratify an amendment while the remaining fourth do not, are the States refusing to ratify still members of the Union?

Mr. PENDLETON. That will depend upon the character of the amendment, and whether it is in pursuance of the authority granted.

legg from the Toledo district [Mr. Ashley] the least injustice in stating his argument. He feit the force of the suggestions which I have endeavored to presant. They occurred to a mind accusatomed to anticipate the objections which
may be made to the position which he
assumes. Having laid down, in the
broadest possible terms, that the cenditions and limitations imposed upon the
power of amendment are only those which
are expressly declared in the Countintion, he fellows it up by a declaration
that, "in my judgement, Congress may the Edward of the power of sovereignty by

geheral welfars, and to secure the blessings of liberty to ourselves and our posterity," is an amondment which, when
made according to the form prescribed in
the Constitution, is both morally and legally binding upon the people of the
ountry. But if it be made in violation
of those great objects, although it may be
legally operative, it has no moral force.
The argument would be, in my mind,
that the amendment we now advocate is
to conformity with those objects, while
an amendment to establish alayery would
be contrary to them.

Mr. PENDLETON. I see that the
gentleman from Massachusetts [Mr. Boutwell] appreciates very well the argument
[am now making, and he has separated
binnel from my colleague from the Toledo district, [Mr. Ashley,] and my colledo mas to the pharanter of the amond
from means to be made. He repediates the

"Mr. Speaker, I presume no man, my
colleague ways:

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scan has the pretead dozintone. He any amondment the Condistrict, if the month of the States to dissolve the Confederation. He says that any amondment mon union.

I day it; I
say that three fourties of the States can
all the Constitution. They can dissolve
the States themselves.

But, Mr. Speaker, the gentlemen
on the instrument twinth assemble to only by the leating the
tion of mother doutries, which is expressed to the fourties an amendment to establish alwe